

(b) (6) CTR OPNAV

From: (b) (6) LCDR OLA, LA-64 (b) (6) mil>
Sent: Monday, March 19, 2018 10:26 AM
To: (b) (6) LCDR OLA, LA-62
Cc: (b) (6) LCDR OLA, LA-64
Subject: FW: DRAFT EXSUM - OTJAG CLD meeting with Sen. Burr MLA & LD
Signed By: (b) (6) .mil

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FFYSA.

V/r

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-----Original Message-----

From: (b) (6) LTC USARMY HQDA OCLL (US) [mailto:(b) (6) mil]
Sent: Monday, March 19, 2018 10:06 AM
To: (b) (6) Lt Col USAF OSD OASD LA (US); (b) (6) CIV OSD OASD LA (US); (b) (6) CIV OSD OGC (US); (b) (6) LCDR OLA, LA-64; (b) (6) Lt Col USAF SAF-LL (US)
Subject: DRAFT EXSUM - OTJAG CLD meeting with Sen. Burr MLA & LD

Team,

Draft EXSUM from our engagement Friday with Sen. Burr's (R-NC) MLA and LD.

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-----EXSUM-----

16 Mar 18 // 1500-1600. Mr. Charles Lozano, OTJAG Criminal Law Division, met with Sen. Burr's (R-NC) staffers Mr. Cole Lyle, MLA, and Mr. Christopher Toppings, Legislative Director, to discuss juvenile on juvenile (J/J) crimes on Fort Bragg, NC.

Mr. Lyle started the meeting by requesting information about all eight J/J cases for the past 10 years. The LLs informed him they would submit the request to the Congressional Response Team: All releasable information (closed and adjudicated with redactions). Mr. Lyle asked why the reporter cited 12 cases in the AP article and Mr. Lozano and the LLs informed him they did not know where that number came from.

Mr. Lozano discussed the jurisdictional schemes in all four counties that compose Fort Bragg, NC: Cumberland, Hoke, Harnett, and Moore. He noted how all counties except Harnett county were Exclusive Federal Jurisdiction (EFJ) while Harnett County was Concurrent Jurisdiction (CJ). He described the role of the Special Assistant United States Attorney (SAUSA) in these cases and noted that as of 15 March 18, the current SAUSA had been in her position for 18 months and had not referred a case to any of the four counties. He also described the relationship between the Assistant United States Attorney Offices, the SAUSA, and the local district attorneys (DAs).

Mr. Lozano discussed retrocession agreements and noted that although the agreements forced jurisdiction on the DA, it did not guarantee the DA would move forward with the case.

Mr. Lyle and Mr. Toppings were interested in FAP involvement in these cases, and the LLs mentioned Talia's Law, which requires military individuals (uniformed and civilian) to report suspected child abuse to local authorities, but noted there was no federal statutory requirement for states to reciprocate for off-post suspected abuse. Mr. Lozano was not able to comment on FAP policies and procedures, although he did confirm that CID informed FAP about all cases involving children. Mr. Toppings was concerned about victims/offenders who "fall through the cracks" should both the county and the AUSA decline to pursue a case. Mr. Lozano described an installation commander's menu of administrative tools (bar from installation, juvenile review board, etc.) to address those situations where a case may not warrant a criminal/judicial response.

This engagement ended on a positive note and OCLL promised to keep the office abreast of the CRT action.

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